

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

B.F. a minor, BETH FORBES, individually)	
and as next friend of B.F. and THOMAS)	
FORBES, individually and as next friend of B.F.,)	
)	No. 4:12-CV-1760 CAS
Plaintiffs)	
)	
vs.)	JURY TRIAL DEMANDED
)	
ABBOTT LABORATORIES INC., et al)	
)	
Defendants)	
)	
)	

**THE PARTIES' JOINT STIPULATION OF UNCONTESTED FACTS
AND SUMMARY OF THE CASE**

Pursuant to the Court's January 10, 2013 Case Management Order, the Parties hereby jointly submit, and stipulate to, the following uncontested facts and summary of the case to be used during *voir dire*.

I. UNCONTESTED FACTS

1. Depakote is a prescription medication manufactured, marketed and sold by Abbott Laboratories Inc.
2. Depakote is also sometimes referred to by the chemical names "valproic acid," "valproate" or "VPA."
3. Minor Plaintiff B.F. was born on September 7, 2005.

II. SUMMARY OF THE CASE WHICH MAY BE USED FOR *VOIR DIRE*

Members of the jury, we are about to begin the process of jury selection. Before we begin, however, I will read the following statement to tell you a little bit more about this lawsuit.

The party who brings a lawsuit is called the plaintiff. In this action, the plaintiffs are minor child B.F. and his parents, Thomas Forbes and Beth Forbes, who have brought this suit on his behalf.

The party against whom the suit is brought is called the defendant. In this action, the defendant is Abbott Laboratories Inc. (“Abbott”).

This is a personal injury lawsuit involving the prescription medication Depakote, manufactured, marketed and sold by Abbott. Depakote is prescribed for persons with bipolar disorder.

Plaintiffs claim that B.F.’s mother, Beth Forbes, was prescribed and took Depakote during her pregnancy with B.F. Plaintiffs claim that B.F. was exposed to Depakote during his mother’s pregnancy. Plaintiffs also claim that B.F. was born with birth defects as a result.

Plaintiffs claim that Abbott failed to provide adequate warnings to Beth Forbes’ prescribing physician regarding the risks of Depakote. Plaintiffs seek recovery of damages from Abbott for the injuries and harm suffered by B.F. in connection with his alleged birth defects.

Abbott claims that it adequately warned Beth Forbes’ physician about the risks of Depakote during pregnancy. Abbott further claims that Plaintiffs have not proved that the content of the warning caused B.F.’s injuries or that B.F.’s injuries were caused by Depakote.

Dated: May 3, 2016

Respectfully submitted,

AUBUCHON, RANIERE & PANZERI. P.C.

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***Attorneys for Defendant Abbott
Laboratories Inc.***

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 3rd day of May, 2016, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system, which sent notification of the filing to all counsel of record.

/s/Daniel A. Ranieri